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8 **BEFORE THE**
9 **BOARD OF REGISTERED NURSING**
10 **DEPARTMENT OF CONSUMER AFFAIRS**
11 **STATE OF CALIFORNIA**

12 In the Matter of the Accusation Against:

Case No. **2011-246**

13 **JADE O. ATOMRE**
aka JADESOLA ATOMRE
499 Bombay Circle
14 Sacramento, California 95835

A C C U S A T I O N

15 **Registered Nurse License No. 617879**

16 Respondent.

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18 Louise R. Bailey, M.Ed., RN ("Complainant") alleges:

19 **PARTIES**

20 1. Complainant brings this Accusation solely in her official capacity as the Interim
21 Executive Officer of the Board of Registered Nursing ("Board"), Department of Consumer
22 Affairs.

23 2. On or about April 30, 2003, the Board issued Registered Nurse License Number
24 617879 to Jade O. Atomre, also known as Jadesola Atomre ("Respondent"). The license was in
25 full force and effect at all times relevant to the charges brought herein and will expire on
26 October 31, 2010, unless renewed.

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STATUTORY AND REGULATORY PROVISIONS

3. Business and Professions Code ("Code") section 2750 provides, in pertinent part, that the Board may discipline any licensee, including a licensee holding a temporary or an inactive license, for any reason provided in Article 3 (commencing with section 2750) of the Nursing Practice Act.

4. Code section 2764 provides, in pertinent part, that the expiration of a license shall not deprive the Board of jurisdiction to proceed with a disciplinary proceeding against the licensee or to render a decision imposing discipline on the license. Under Code section 2811, subdivision (b), the Board may renew an expired license at any time within eight years after the expiration.

5. Code section 2761 states:

"The board may take disciplinary action against a certified or licensed nurse or deny an application for a certificate or license for any of the following:

(a) Unprofessional conduct, which includes, but is not limited to, the following:

(1) Incompetence, or gross negligence in carrying out usual certified or licensed nursing functions."

6. California Code of Regulations, title 16, section 1442, states:

"As used in Section 2761 of the code, 'gross negligence' includes an extreme departure from the standard of care which, under similar circumstances, would have ordinarily been exercised by a competent registered nurse. Such an extreme departure means the repeated failure to provide nursing care as required or failure to provide care or to exercise ordinary precaution in a single situation which the nurse knew, or should have known, could have jeopardized the client's health or life."

COST RECOVERY

7. Code section 125.3 provides, in pertinent part, that the Board may request the administrative law judge to direct a licensee found to have committed a violation or violations of the licensing act to pay a sum not to exceed the reasonable costs of the investigation and enforcement of the case.

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FIRST CAUSE FOR DISCIPLINE

(Gross Negligence)

8. Respondent is subject to discipline under Code section 2761(a)(1), on the grounds of unprofessional conduct, in that between October 7, 2006, and November 6, 2006, while employed as a registered nurse in the triage treatment unit at Folsom State Prison, located in Folsom, California, she was grossly negligent in the following respects:

a. On or about October 7, 2006, Respondent refused to assist staff with a patient who was complaining of severe back pain and who had not left his cell for two days.

b. On or about October 10, 2006, October 17, 2006, and October 31, 2006, Respondent was sleeping while on duty, thereby failing to be alert and available to patients.

c. On or about November 6, 2006, Respondent failed to treat patient H who reported to her with complaints of vomiting and blood in his stool, in that Respondent instructed patient H to return two hours later for an exam.

SECOND CAUSE FOR DISCIPLINE

(Unprofessional Conduct)

9. Respondent is subject to discipline under Code section 2761(a), on the grounds of unprofessional conduct, in that while employed as a registered nurse in the triage unit at Folsom State Prison, located in Folsom, California, Respondent demonstrated unprofessional conduct, as more particularly set forth above in paragraph 8.

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PRAYER

WHEREFORE, Complainant requests that a hearing be held on the matters herein alleged, and that following the hearing, the Board of Registered Nursing issue a decision:

1. Revoking or suspending Registered Nurse License Number 617879, issued to Jade O. Atomre, also known as Jadesola Atomre;
2. Ordering Jade O. Atomre, also known as Jadesola Atomre to pay the Board of Registered Nursing the reasonable costs of the investigation and enforcement of this case, pursuant to Business and Professions Code section 125.3; and,
3. Taking such other and further action as deemed necessary and proper.

DATED: _____

9/20/10

Louise R. Bailey

LOUISE R. BAILEY, M.ED., RN
Interim Executive Officer
Board of Registered Nursing
Department of Consumer Affairs
State of California
Complainant

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